HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16099 of 2006

Dated 1st AUGUST 2006

Between:

M Ramanaiah S/o Sheshaiah, 75 years
R/o Nellore, Nellore district

… Petitioner

And:

The Chairperson, District Level Committee for
Sand Auctions, Zilla Parishad Compound
Nellore District, Nellore & 2 others.

… Respondents

HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16099 of 2006

ORDER:

Heard the Counsel.

2. The writ petition is filed for issuance of Writ of Mandamus declaring the inaction on the part of the respondents in not extending the lease granted in favour of the petitioner in respect of Somasila Sand Reach, pursuant to tender notice No.650/2003-A3 dated 16.06.2004 issued by the 3rd respondent by a period of 6 months or refund the lease amount for the said period or in the alternative extend the lease period by one year by accepting reasonable enhanced lease amount over and above the previous year, as arbitrary, illegal, violative of Fundamental Rights guaranteed to the petitioner under the Constitution of India and issue a consequential direction to the respondents to forthwith extend the lease period by a period of six months or refund the lease amount for the said period or in the alternative extend the lease period by one year by accepting reasonable enhanced lease amount over and above the previous year and pass such other suitable orders.

3. It is stated that the petitioner made representation on 26.06.2006 and also reminder on 30.07.2006 to the respondents and the same had not been disposed of. Several other factual details also had been narrated in the affidavit filed in support of the Writ Petition.

The other factual details need not be dealt with at length. Suffice to state inasmuch as the representation made by the petitioner is pending with the 1st respondent, it would be just and proper to dispose of the Writ Petition with the following direction:-

"The 1st respondent is hereby directed to dispose of the representation made by the petitioner dated 26.06.2006 in accordance with law within a period of three months from today". No order as to costs.

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P.S. NARAYANA, J

Dated 1st AUGUST 2006

BSS/MDAA